

REMARKS

Claims 1-34 are pending. Claims 1-34 are rejected.

Claims 1, 7, 17, 33, and 34 have been amended for clarity. Claim 16 is has been amended to correct for a typing error.

Claims 1-34 are rejected under 35 U.S.C. 102(e) as being anticipated by Robbins et al. (2004/0072593). Under 37 CFR 1.132, any invention disclosed in the reference was derived from the inventor of this application, and is thus not an invention "by another." A declaration to that effect by the common inventor is enclosed herewith.

Claims 1-34 are rejected under 35 U.S.C. 102(b) as being anticipated by Aho et al. (6,198,941). The claimed invention includes a method and system of handing off a call from a WLAN switch from a WLAN network to a wireless communications system (such as a cellular or PCS telephone system). However, upon closer examination of Aho et al., it is clear that Aho et al. and the claimed invention are complementary, as Aho et al. discusses not how the wireless handoff is made, but determines under what circumstances (i.e. conditions) the handoff is made. In this respect, the invention of Aho et al. may initiate, but does not teach, a process embodiment of the claimed invention.

Let us first address claim 1 of the claimed invention.

For example, the paragraph cited by the Examiner, col. 1, lines 15-34 of Aho et al., discusses that a handoff may occur. The cited paragraph does not show, however, that the handoff occurs by the phone "initiating an initiated call from the WLAN switch to a subscriber device via the wireless communication system;" (element 1 of claim 1) i.e., having the subscriber device (ex. phone) call itself via the WLAN switch. This is different from a "terminal may transmit data to, and receive data from a remote server or host via a warless local area network", because merely transmitting/receiving data is different from initiating a call.

This initiated call is then received by the phone in the second element of claim 1, "receiving the call from the wireless communication system." The antecedent basis of "the initiated call" means it is the call initiated from the WLAN switch. In contrast, this second element cannot be found in the cited text, because the received call of Aho et al. is not initiated by the phone. (i.e., The phone does not call itself in Aho et al., as it does in the claimed invention.) Consequently, this element is not found in Aho et al., either.

Finally, the third element of "switching a connection with the wireless local area network to the initiated call from the wireless communication system" cannot be found within Aho et al., as there is no concept of the initiated call within the reference.

With respect to claims 2 and 3, the elements require alternatively sending a registration message or invite messages to the WLAN switch. As the Examiner should well appreciate, sending a registration or invite message to the WLAN switch is different from merely sending or receiving data, as described in the cited reference. *The concepts of an invite or registration message are not taught within the cited reference at all; in fact, the words "registration" and "invite" never appear in the Aho et al. patent.* Consequently, Aho et al. also cannot anticipate claims 5 and 6, as these claims involve the path of the registration message sending.

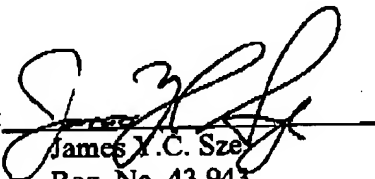
Similar arguments apply to independent claims 17, 33, and 34, and dependant claims 18, 19, 21, and 22.

Applicants respectfully request a withdrawal of the rejections.

CONCLUSION

For the reasons described and supported above, Applicants respectfully submit that all pending claims are now in condition for allowance. That said, should any issues or questions remain, the Examiner is encouraged to telephone the undersigned at (619) 744-2293 so that they may be promptly resolved. In the unlikely event the transmittal letter is separated from this document and the Office determines that an extension and/or other relief is required, Applicants petition for any required relief, including extensions of time, and authorize the Assistant Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to the credit card disclosed in form PTO-2038 filed with this document.

Respectfully submitted,

By: 
James Y.C. Sze
Reg. No. 43,943

Duane Morris LLP
Customer Number 53897
101 West Broadway, Suite 900
San Diego, CA 92101
(O) 619.744.2200
(F) 619.744.2201